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## **FACSIMILE COVER SHEET**

OCT 18 2004

**Deliver to:** Arezoo Sherkat, USPTO

Art Group: 2131

**Facsimile No.: 703.872.9306**

Date: October 18, 2004

From: William W. Schaal, Rec. No. 39,018

**Our Docket No.: 3239P065**

Number of pages 16 including this sheet.

Application No.: 09/753,229

Filing Date: 12/28/2000

Docket Due Date(s): 10/16/2004

**Enclosed are the following documents:**



**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)**

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10/18/2004

Tu T. Nguyen

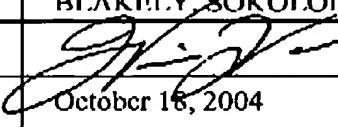
Date

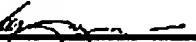
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application No.	09/753,229
		Filing Date	December 28, 2000
		First Named Inventor	Darwin A. Engwer
		Art Unit	2131
		Examiner Name	Arezoo Sherkat
Total Number of Pages in This Submission	15	Attorney Docket Number	3239P065

ENCLOSURES (check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group	
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter	
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	<input type="checkbox"/>	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/>	
<input type="checkbox"/> PTO/SB/08			
<input type="checkbox"/> Certified Copy of Priority Document(s)			
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application			
<input type="checkbox"/> Basic Filing Fee			
<input type="checkbox"/> Declaration/POA			
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53			
Remarks			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	William W. Schaal, Reg. No. 39,018 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	October 18, 2004

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.			
Typed or printed name	Tu T. Nguyen		
Signature		Date	October 18, 2004

Based on PTO/SB/21 (04-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 08/14/2004  
S/N: 103 Communication in Patents, P.O. Box 1450, Alexandria, VA 22313-1450

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2004. Patent laws are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

90.00

## Complete if Known

Application Number	09/753,229
Filing Date	December 28, 2000
First Named Inventor	Darwin A. Engwer
Examiner Name	Arezoo Sherkat
Art Unit	2131
Attorney Docket No.	3239P065

## METHOD OF PAYMENT (check all that apply)

 Check     Credit Card     Money Order     Other     None  
 Deposit Account
Deposit Account Number **02-2666**Deposed Atty/and Name: **Blakely, Sokoloff, Taylor & Zafman LLP**

The Commissioner is authorized to: (check all that apply)

- Charge fee(s) indicated below     Credit any overpayments
- Charge any additional fees or reimbursement of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20
- Charge fee(s) indicated below, except for the filing fee to the above identified deposit account

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 710	2001 300	Utility filing fee	
1002 310	2002 178	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 780	2004 396	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>			<b>\$0</b>

## 2. EXTRA CLAIM FEES

Total Claims:	33	2d <sup>a</sup> =	5	X	18.00	=	\$90.00	Fee Paid
Independent Claims:	8	6 <sup>a</sup> =	0	X	88.00	-	\$0.00	
Multiple Dependent								

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 8A	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple Dependent claim, if not paid
1204 98	2204 44	"Reissue independent claims over original patent
1205 10	2205 9	"Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>		<b>\$90.00</b>

\*If multiple previously paid, it applies. For Reissues, new total

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 85	Surcharge - late filing fee or with	
1052 50	2052 20	Surcharge - late provisional filing fee or cover sheet	
2053 130	2053 130	Non-English specification	
1812 2,620	1812 2,620	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1005 1,640*	1005 1,640*	Requesting publication of SIR after Examiner action	
1261 110	2261 55	Extension for reply within first month	
1262 430	2262 215	Extension for reply within second month	
1253 980	2253 430	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,000	2255 1,040	Extension for reply within fifth month	
1404 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	2451 1,510	Petition to institute a public and proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,370	2453 605	Petition to revive - unintentional	
1501 1,370	2501 600	Utility issue fee (or micro)	
1502 400	2602 246	Design issue fee	
1603 600	2603 230	Plant issue fee	
1400 130	2400 130	Motions to the Commissioner	
1807 50	1007 50	Processing fee under 37 CFR 1.17(q)	
1808 100	1008 100	Submission of Information Disclosure Stmt	
AN21 40	AN21 40	Regarding each patent assignment per property (times number of properties)	
1009 780	1009 365	Filing A submission after final rejection (37 CFR § 1.12(b)(1))	
1810 700	2810 395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801 700	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			

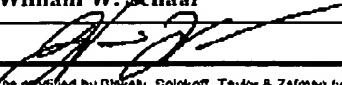
\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

## SUBMITTED BY

Complete if applicable

Name (print/type)	William W. Schaal	Registration No. (Attorney/Agent)	39,018	Telephone	(714) 557-3800
Signature				Date	10/18/04

Based on PTO/SO/17 (10-03) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 02/10/2004.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Appl. No. 09/753,229  
Amdt. Dated October 18, 2004  
Reply to Office action of July 16, 2004

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application. No.	:	09/753,229	Confirmation No. 9332
Applicant	:	Darwin A. Engwer	
Filed	:	12/28/2000	
TC/A.U.	:	2131	
Examiner	:	Arezoo Sherkat	
Docket No.	:	003239.P065	
Customer No.	:	8791	

Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

**AMENDMENT**

Sir:

In response to the Office action of July 16, 2004, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 8 of this paper.